

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**JEFFERY A. STALLWORTH** **PLAINTIFF**

**VS.** **CIVIL ACTION NO. 3:16cv246-CWR-FKB**

**GOVERNOR DEWEY PHILLIP  
“PHIL” BRYANT, ET AL.** **DEFENDANTS**

**and**

**TONY T. YARBER, Mayor of the City of  
Jackson, Mississippi, on behalf of the  
Citizens of the City of Jackson, ET AL.** **INTERVENOR-PLAINTIFFS**

**VS.**

**PHIL BRYANT, in his Official Capacity as  
Governor of the State of Mississippi, ET AL.** **DEFENDANTS**

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**GOVERNOR BRYANT’S MOTION FOR ORDER  
PERMITTING FILING OF UNREDACTED EXHIBIT UNDER SEAL OR  
SUBMISSION OF UNREDACTED EXHIBIT FOR IN CAMERA REVIEW**

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Pursuant to L.U.Civ.R. 79, Defendant Phil Bryant, in his official capacity as Governor of the State of Mississippi (“Governor Bryant” or “Governor’s Office”) moves the Court for an order permitting him to file a certain document under seal, or submit the document for in camera review, in support of his Response in Opposition to the JMAA Plaintiffs’ Motion to Compel Depositions [Dkt. 255] and states:

1. On August 10, 2017, the Court entered a protective order governing the production of certain documents and the Rule 30(b)(6) Deposition of the Governor’s Office taken on August 18, 2017. [Dkt. 239]. The order provides for the submission under seal of the covered documents and portions of the 30(b)(6) transcript including

testimony objected to on legislative privilege grounds. [Dkt. 239].

2. On January 11, 2018, the JMAA plaintiffs moved to compel the depositions of the Governor's Chief of Staff Joey Songy, Policy Advisor Bobby Morgan, and Policy Advisor Alice Perry. [Dkt. 255]. The JMAA plaintiffs' submission included transcript excerpts of the August 18, 2017 30(b)(6) testimony of the Governor's Office and other documents. [See Dkt. 255-1 to 255-9]. Two of the documents are subject to the August 10, 2017 protective order, and the JMAA plaintiffs moved to submit those documents under seal. [Dkt. 253].

3. Exhibit "D" to Governor Bryant's response to the JMAA plaintiffs' motion includes additional pertinent transcript excerpts of the 30(b)(6) testimony. Eleven pages of the transcript excerpts in Exhibit "D" include testimony objected to on legislative privilege grounds and are encompassed by the August 10, 2017 protective order. Governor Bryant has filed Exhibit "D" with those portions redacted. [See Dkt. 259-4].

4. Governor Bryant requests an order permitting the filing of an unredacted version of Exhibit "D" to his Response in Opposition to the JMAA plaintiffs' Motion to Compel Depositions under seal, or alternatively, permitting him to submit an unredacted version of Exhibit "D" to the Court for in camera review.

FOR THESE REASONS, and those set forth in his accompanying memorandum of authorities, Governor Bryant respectfully requests that the Court enter an order pursuant to L.U.Civ.R. 79 permitting Governor Bryant to file the foregoing identified document under seal as Exhibit "D" to his Response in Opposition to the JMAA plaintiffs' Motion to Compel Depositions [Dkt. 259-4], and directing the Clerk of Court

to maintain those exhibits as sealed records in the Court's file, or alternatively, for an order permitting him to submit an unredacted version of Exhibit "D" to the Court for in camera review.

THIS the 25<sup>th</sup> day of January, 2018.

Respectfully submitted,

GOVERNOR PHIL BRYANT

By: JIM HOOD, ATTORNEY GENERAL

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#### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document has been filed with the Clerk of Court using the Court's ECF system and thereby served on all counsel of record who have entered their appearance in this action to date.

THIS the 25<sup>th</sup> day of January, 2018.

S/Justin L. Matheny  
Justin L. Matheny